



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

March 1, 2023

BY ECF

The Honorable Gregory H. Woods
United States District Judge
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, New York 10007

Re: *United States v. Ethan Phelan Melzer*, S1 20 Cr. 314 (GHW)

Dear Judge Woods:

Pursuant to the Court's February 27, 2023, Dkt. 165, the parties jointly propose the following edits to the Presentence Report to reflect that a ruling on the disputed facts is unnecessary:

- **Paragraph 18:** **"In 2020, MELZER claimed that his membership in O9A began with MELZER's own statements link his membership in O9A his first 'insight role' for the organization, which he stated involved gang- and narcotics-related activities beginning in 2016."**
- **Paragraph 20:** **"In 2020, MELZER stated affirmed that his gang and drug activity was not only an insight role, but also constituted 'sinister deeds' directly connected to his self-initiation into O9A, writing, 'Well we've talked about it a little but first actual insight role was being a runner for some bhbs when I was younger. That was about 4-5 years.'"**
- **Paragraph 23:** **The parties agree to strike the following language: "MELZER also told Witness-1 that in 2015 or 2016, MELZER committed a robbery of an individual ('Victim-2') in the street, and shot Victim-2 ('Shooting-2') because Victim-2 refused to provide his wallet."**
- **Paragraph 25:** **"In 2018, MELZER enrolled in the U.S. Department of Labor's Job Corps program[.] and at that time By February 2019, while in the Job Corps program, MELZER was researching researched O9A and its American affiliate, the Temple [sic] ov Blood."**

cc: Defense Counsel (by Email and ECF)